

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



March 21, 1983

ALL-COUNTY LETTER NO. 83-23

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: UNACCOMPANIED REFUGEE AND ENTRANT MINORS

REFERENCE:

This is to provide program instructions regarding the identification and placement of Unaccompanied Refugee and Entrant Minors. The Office of Refugee Resettlement (ORR) has recently informed this Department that effective immediately the following definitions (as provided in ORR Action Transmittals 79-04 and 80-7) shall be used in determining Unaccompanied Refugee and Entrant Minor status:

DEFINITIONS

1. An Unaccompanied Refugee Minor is a refugee who:
  - a. Meets the age requirements of EAS Section 42-101.1;
  - b. Entered the U.S. unaccompanied by a parent or other immediate adult relative (as defined in EAS Section 44-203.2) or an adult having documentable legal evidence of custody of the minor; and
  - c. Has no parent or other immediate adult relative in the U.S.
2. An Unaccompanied Entrant Minor is an entrant who:
  - a. Meets the age requirements of EAS Section 42-101.1;
  - b. Entered the U.S. unaccompanied by a parent or an immediate adult relative or an adult having documentable legal evidence of custody of the minor; and
  - c. Has no parent in the U.S.

Note: For purposes of the Unaccompanied Entrant Minor, an immediate adult relative is defined as a grandparent, aunt, uncle or adult sibling.

It should be noted that there are three major differences between the Refugee and Entrant Unaccompanied Minor (UM) definitions:

1. The term "immediate adult relative" is more restrictive in the Entrant definition.
2. An entrant may retain UM status as long as the minor has no parent(s) in the U.S. while a refugee minor may retain UM status only as long as the refugee minor has no known immediate adult relative(s) in the U.S.
3. The Unaccompanied refugee minor definition allows for the minor to become "unaccompanied" after arrival in the U.S. whereas the Unaccompanied Entrant Minor definition does not. This may occur in situations where the refugee minor entered the U.S. with a person(s) claiming to be the minor's parent(s) or other immediate adult relative(s) and it was later discovered that the person(s) was/were not who they claimed to be. In these situations the refugee minor shall have an Unaccompanied Refugee Minor case established and be eligible for a Refugee Cash Assistant-Foster Care (RCA-FC) payment if there is, in fact, no parent or other immediate adult relative in the U.S. Unlike the refugee minor in the above situation, an UM case cannot be established for the entrant minor, and there is no eligibility for Entrant Cash Assistance-Foster Care (ECA-FC) payments. The CWD should explore all other assistance programs for which the entrant minor may be eligible.

#### PLACEMENT PROCEDURES

CWD's shall continue to make arrangements to establish protective legal responsibility for all Unaccompanied Minors by seeking dependency under the Welfare and Institutions Code Section 300 or to establish legal guardianship under Probate Code Section 1514. Unaccompanied Minors shall receive Permanent Placement services in accordance with Division 30.

#### Refugee Minor Reunification

When it is discovered that a parent or other immediate adult relative is residing in the U.S. the CWD shall make all reasonable efforts to reunite the refugee minor with those relatives. The refugee minor would no longer meet the UM definitions and therefore would not be eligible for a RCA-FC payment. If the refugee minor is reunited with an immediate adult relative (as defined in EAS Section 44-203.2), the CWD shall explore the appropriateness of including the minor in the Family Budget Unit (FBU) of the responsible relative or establishing an AFDC non-needy relative case for the minor. If reunification efforts are unsuccessful the child's eligibility for AFDC-FC must be explored.

### Entrant Minor Reunification

If a parent is found to reside in the U.S. the CWD shall make all reasonable efforts to reunite the entrant minor with the parent(s). This entrant minor would no longer meet the UM definition and therefore would not be eligible for ECA-FC payments. If the entrant minor is reunited with a parent, the CWD shall explore the appropriateness of including the minor in the parent's FBU or establishing an AFDC-FG non-needy relative case for the minor. If reunification efforts are unsuccessful, the minor's eligibility for AFDC-FC must be explored given that the entrant minor is no longer eligible for ECA-FC payments.

If an immediate adult relative is found to reside in the U.S., the CWD shall make all reasonable efforts to reunite the entrant minor with such relative(s). This entrant minor retains UM status and eligibility for ECA-FC payments regardless of the outcome of the reunification efforts.

### NOTICE OF ACTION

When appropriate, Notices of Action shall be issued in accordance with EAS Sections 22-021 and 22-022.

### TIME ELIGIBILITY

Unaccompanied Minors are not subject to the time limitation provisions of the Refugee Resettlement Program (RRP) or Cuban/Haitian Entrant Program (CHEP). Federal RRP or CHEP reimbursement for assistance and services provided to unaccompanied minors is available for as long as the minor meets the age requirements of EAS Section 42-101.1. At such time when the individual no longer meets these requirements, eligibility for other assistance programs shall be considered under the time limitation provisions.

### AID PAYMENTS

RCA-FC and ECA-FC payments for unaccompanied minors shall be made in accordance with EAS Section 45-302.

### AID CODES

The following aid codes shall be used for unaccompanied minors:

#### RCA-FC

01=Refugee Unaccompanied Minor from Cambodia, Laos or Vietnam

07=All other refugee unaccompanied minors

#### ECA-FC

08=Cuban/Haitian Entrant Unaccompanied Minors

Please note that these children are not to be classified as AFDC-FC cases.

FISCAL CLAIMING INSTRUCTIONS

For those children who no longer meet the unaccompanied minor definition and who are therefore no longer eligible to receive RCA-FC or ECA-FC, CWD's are to use the same fiscal claiming instructions used for a RCA, ECA, or AFDC-FG/U/FC case, if eligible.

REPORTING REQUIREMENTS

The CWD shall continue to submit Form CA 900 "Request for Information on Unaccompanied Refugee/Entrant Child" on a semi-annual basis in accordance with instructions issued by ORS. These children must also be reported to the Foster Care Information System (FCIS) pursuant to instructions issued in All-County Information Notice I-79-82, dated July 7, 1982.

IMPLEMENTATION INSTRUCTIONS

CWD's shall perform a 100% case review of their unaccompanied minor caseload and apply the instructions issued in this letter. This case review may be completed in conjunction with the completion of the Form CA 900 report due to ORS on March 31, 1983.

Questions regarding this letter can be directed to your ORS CWD Operations Bureau Consultant listed in All-County Information Notice I-11-83 dated January 20, 1983.

Sincerely,



R. E. REICH  
Chief Deputy Director

cc: CWDA  
ORR-SF